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Attorneys for All Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

SIERRA CLUB, a non-profit corporation,
**NORTHWEST ENVIRONMENTAL
DEFENSE CENTER**, a non-profit
corporation, **FRIENDS OF THE
COLUMBIA GORGE**, a non-profit
corporation, **COLUMBIA RIVERKEEPER**,
a non-profit corporation, and **HELLS
CANYON PRESERVATION COUNCIL**, a
non-profit corporation,

Plaintiffs,

v.

**PORTLAND GENERAL ELECTRIC
COMPANY**, an Oregon Corporation,

Defendant.

Civil No.: 3:08-cv-01136-HA

**MEMORANDUM IN SUPPORT OF
UNOPPOSED MOTION TO
DISMISS CLAIM TWO
AND PARTS OF CLAIM FOUR**

Through this unopposed motion, plaintiffs move the Court to enter an Order dismissing plaintiffs' second claim for relief in the First Amended Complaint, which relates to alleged violations of the opacity standard under the New Source Performance Standards. Plaintiffs also move to dismiss that portion of the fourth claim for relief that alleges violations of Condition 10 of PGE Boardman's 2001 Title V permit. After reviewing material obtained in discovery from PGE and consulting with experts regarding the matter, plaintiffs believe that entering the requested order would be in the interest of justice.

Respectfully submitted this 14th day of December, 2010,

/s/ George E. Hays
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